

ESTTA Tracking number: **ESTTA607901**

Filing date: **06/03/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057370
Party	Plaintiff The Republic of Tea, Inc.
Correspondence Address	Vijay K. Toke Hiaring & Smith, LLP 101 Lucas Valley Road, Suite 300 San Rafael, CA 94903 UNITED STATES vijay@hiaringsmith.com, elizabeth@hiaringsmith.com, gerie@hiaringsmith.com, trademarks@hiaringsmith.com
Submission	Withdrawal of Cancellation
Filer's Name	Elizabeth J. Rest
Filer's e-mail	trademarks@hiaringsmith.com, elizabeth@hiaringsmith.com, anne@hiaringsmith.com, gerie@hiaringsmith.com
Signature	/elizabeth j. rest/
Date	06/03/2014
Attachments	Withdrawal of Cancellation_060314.pdf(112279 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 4,293,105
Serial No.: 85/444,688
Mark: SUPERFRUIT TODAY
Registration Date: February 19, 2013

THE REPUBLIC OF TEA, INC.,

Petitioner,

v.

AMACA INVESTMENTS, INC.,

Registrant.

Cancellation No. 92057370

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through its website located at <http://estta.uspto.gov/> on June 3, 2014:


Elizabeth J. Rest

WITHDRAWAL OF PETITION FOR CANCELLATION

Petitioner The Republic of Tea, Inc., a California corporation ("Petitioner"), by its attorneys Hiaring + Smith, requests withdrawal of its Petition for Cancellation in the above-captioned proceeding, pursuant to 37 CFR § 2.114(c) and Trademark Trial and Appeal Board Manual of Procedure Rule 601.02.

Respectfully submitted,

HIARING + SMITH, LLP

Dated: June 3, 2014

By: 

Anne Hiaring Hocking
Elizabeth J. Rest
Kathryn M. Wheble
101 Lucas Valley Road, Suite 300
San Rafael, California 94903
Telephone: (415) 457-2040
Facsimile: (415) 457-2822
Email: trademarks@hiaringsmith.com
vijay@hiaringsmith.com
elizabeth@hiaringsmith.com

Attorneys for Petitioner The Republic of Tea, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the WITHDRAWAL OF PETITION FOR CANCELLATION has been served on attorneys for Registrant, as listed below, by mailing said copy on June 3, 2014, via First Class Mail, postage prepaid to the address below, and by sending via electronic mail to the addresses listed below:

Matthew H. Swyers
The Trademark Company PLLC
344 Maple Avenue West, PBM 151
Vienna, VA 22180
Email: mswyers@thetrademarkcompany.com

Valerie Kuhar, Litigation Specialist
The Trademark Company, PLLC
2703 Jones Franklin Road, Suite 206
Cary, NC 27518
Email: valeriek@thetrademarkcompany.com

Dated: June 3, 2014

By: HIARING + SMITH, LLP

Elizabeth J. Rest
101 Lucas Valley Road, Suite 300
San Rafael, California 94903
Tel: (415) 457-2040
Fax: (415) 457-2822

Attorneys for Petitioner